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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/731,912	12/08/2000	Eric Allan Bier	1508-3220	1180
7590	10/12/2005		EXAMINER	
Gunnar G. Leinberg, Esq. NIXON PEABODY LLP Clinton Square P.O. Box 31051 Rochester, NY 14603				TRAN, QUOC A
		ART UNIT		PAPER NUMBER
		2176		
DATE MAILED: 10/12/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

	Application No.	Applicant(s)
	09/731,912	BIER, ERIC ALLAN
	Examiner	Art Unit
	Quoc A. Tran	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 27 July 2005.
- 2a) This action is FINAL.                                   2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-3, 5-13, 15, 16, 18-21 and 23-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3, 5-13, 15-16, 18-21 and 23-45 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to communication: amendment filed July 08, 2005 with recognition of an original filing date of, December 08, 2000.
2. Claims 1-3, 5-13, 15-16, 18-21 and 23-45 are currently pending in this application. Claims 1, 5-6, 12, 15, 20-21, 23-27, and 32-33 are amended, claims 4, 14, 17, and 22 are canceled, and new claims 34-45 are added. Claims 1, 12 and 20 are independent claims.

### **Claim Rejections - 35 USC § 101**

3. Claims 20-27 and 32, were rejected under 35 U.S.C. 101, has been withdrawn since correction has been made.

### **Response to Arguments**

4. Applicant's arguments with respect to claim 1-3, 5-13, 15-16, 18-21 and 23-45 have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Regarding to Applicant's arguments directed toward the un-amended claims (i.e. dependent claims 2-3, 7-11, 13, 16, 18-19 and 28-31). It is noted, that Chang in view of Ferrel and further in view of Ken Pier, fairly teach and/or suggest the claims' limitations.

### **Claim Rejections - 35 USC § 103**

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-3, 5-13, 15-16, 18-21 and 23-45 are rejected under 35 U.S.C. 103(a) being unpatentable over Bay-Wei Chang, "In-Place Editing of Web Pages: Sparrow Community-Shared Documents", URL: <http://www2.parc.com/istl/projects/sparrow/doc/www7/>, published 04/1998 (hereinafter Chang), in view of Giljum et al. US006745238B1- filed 03/31/2000 (hereinafter Giljum '238).

**In regard to independent claim 1, A group-editable web page editing system comprising: formatting information stored within the electronic document (Chang at page 1 the Abstract Section, discloses sparrow in-place editing facilitates a different genre of Web page: such as the community-shared page, Like any Web page, a community-shared page is originally crafted by a single author, who defines the initial content and scope of the document. But unlike other Web pages, a community-shared page can be modified or added to by any interested contributor, and the barriers for doing so are lessened by allowing changes to be made in a lightweight manner. The lightweight editing that Sparrow provides allows contributors to edit within the browser; edit in-place in the document; edit narrowly, just one item at a time; edit in a structured fashion; edit at a high level of abstraction; and edit collaboratively such that a lightweight in-place editing makes it easy for users to contribute to Web pages, thereby making community-shared documents more useful as they grow and change with new information)**

Examiner read the above in the broadest reasonable interpretation to the claim limitation,

wherein formatting information stored within the electronic document would have been an obvious variant of a community-shared page is originally crafted by a single author, and allowing changes to be made in a lightweight manner (e.g. in-place in the document), to a person of ordinary skill in the art at the time the invention was made;

Chang does not explicitly teach, **an element selection device that selects a portion of an electronic document, wherein the selected portion includes at least one of template information or....**, however (Giljum '238 at col. 11, line 55 through col. 13, line 30, also see Fig. 11 and Fig. 38, discloses the web site database the Web Site Database permits the sharing of information among users in the Web Site, wherein style is a template that controls the look and feel of the home page and each folder page on the Web Site, such as the style template governs the navigation bar and page body, colors, text font, size, background images, banners, and other graphic elements that are common to each page. The Web Site Database provides a default style, but the user may generate custom styles to suit particular needs. A single style may be chosen for the entire Web Site (e.g., the home page and each folder). Alternatively, the user may assign different styles to give each folder a distinct look and feel. Alternatively, the user may assign different styles to give each folder a distinct look and feel) Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein element selection, template information would have been an obvious variant of style template governs the navigation bar and page body, colors, text font, size, background images, banners, and other graphic elements that are common to each page, to a person of ordinary skill in the art at the time the invention was made;

**and an updating device that replaces the selected portion with the edited portion,** however (Giljum '238 at col. 2, lines 1-16, discloses the self service system that displays to users, on the users' computers, wherein the self service system permits a content contributor (users) to add an item, add an item to a folder, associate an item with a perspective, and classify the item in a category uses of only a web browser running on the user computer, transmits the parameter to the central repository and allows the web site is updated at the central repository in accordance with the parameter, also Giljum '238 at col. 20, lines 55-65, discloses input that defines said set of perspectives is received in response to user manipulation of a graphical user interface presented by a second web page) Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein an updating device would have been an obvious variant of users' computers and user manipulation of a graphical user interface , to a person of ordinary skill in the art at the time the invention was made;

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Chang's teaching, discloses a group-editable web page editing system comprising: formatting information stored within the electronic document, and an updating device that replaces the selected portion with the edited portion, to includes a means of selecting a portion of an electronic document, wherein the selected portion includes at least one of template information and an updating device that replaces the selected portion with the edited portion of Giljum '238. One of the ordinary skill in the art would have been motivated to modify this combination to enable the content contributor (e.g. to create a web site, the person, referred to as the content contributor, submits the content (e.g., files and images) to the web site administrator for publication) may not be technical and may not have any knowledge of HTML,

and eliminating a bottleneck the web site administrator prior to publishing the content, and ensuring that the content is up to date and accurate (as taught by Giljum '238 at col. 1, lines 30-55).

**In regard to independent claims 12 and 20,** incorporate substantially similar subject matter as cited in claim 1 above, and is similarly rejected along the same rationale. Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein a user interface would have been an obvious variant of users' computers and user manipulation of a graphical user interface, to a person of ordinary skill in the art at the time the invention was made.

**In regard to dependent claims 2-3,** incorporate substantially similar subject matter as cited in claim 1 above, and further view of the following, and are similarly rejected along the same rationale; **accounts for one or more edits by other users and are stored in a queue** (as taught by Chang, page 1, Introduction Section, discloses the Web pages are jointly edited by more than one person, much meta-information about the page must be distributed in addition to its URL: who is currently editing the page, where the page is stored in the filesystem, who has permission to write to that filesystem, and so on).

**In regard to independent claim 5,** incorporate substantially similar subject matter as cited in claim 1 above, and is similarly rejected along the same rationale.

**In regard to dependent claim 6,** incorporate substantially similar subject matter as cited in claim 1 above, and further view of the following, and is similarly rejected along the same rationale;

**represents at least one non-selected portion of the electronic document with a place holder** (Chang at page 7, section 2.2, discloses a lightweight editing technology for the Web, wherein one item at a time being edited using “Editing in-place”, and during editing, the context of the rest of the page remains in place. The metaphor used is that of the outliner: the triangle graphic turns downwards to open up a region holding more detail, in this case, an editing region. Meanwhile, the page content above and below the editing region remains unchanged and visible. The user is free to browse the rest of the page even when editing, Chang at page 1, Introduction section, prescribing the types of editing allowed, and presenting forms for user interaction. In addition the interface attempts to leverage existing conventions in order to allow first-time users to feel comfortable initiating an edit without prior instruction) Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein place holder would have been an obvious variant of the editing region remains unchanged and visible and presenting forms for user interaction, to a person of ordinary skill in the art at the time the invention was made.

**In regard to dependent claim 7,** incorporate substantially similar subject matter as cited in claims 1 and 6 above, and is similarly rejected along the same rationale.  
13, and is similarly rejected under the same rationale.

**In regard to dependent claim 8, the element selection device permits selection of all portions of the electronic document that are associated with a given portion class** (Chang at page 10, section 3.3, Interview schedule, discloses the interview schedule which is an example of a class of Sparrow pages...), and also at page 13, section 4.4 Fields, Python subclass.

**In regard to dependent claim 9, the portion classes include the class of items, the class of templates, and the class of remaining code** (Chang, at page 11, section 4.1

paragraph 1, Sparrow provides flexible authoring for creating many different kinds of content.

Sparrow items are specified declaratively, by creating a template that includes the fields that will be used and the HTML formatting around the field entries...).

**In regard to dependent claim 10, a user may select and edit portions of the template class, while one or more other users may simultaneously edit portions of the item class** (Chang, at page 14, section 4.6, paragraph 1, discloses a method, wherein one user may change an item on a page without affecting other users who are editing other items on the same page...).

**In regard to dependent claim 11, one user may select and edit portions of the remaining code class** (Chang, at page 15, section 5 paragraphs 5, discloses WebEdit [6], Web Writer [2, 3], and Wiki Wiki Web all implement browser-based editing of Web pages. Like Sparrow, these systems allow one to edit pages directly within the browser, thus freeing the user from starting another tool or knowing where the page is stored on the filesystem. Unlike Sparrow, they require knowledge of HTML and editing occurs over the entire contents of a page...).

**In regard to dependent claims 13 and 21, incorporate substantially similar subject matter as cited in claim 2 above, and are similarly rejected along the same rationale.**

**In regard to dependent claims 15, 16, 18, 23, 24, 26 and 32 incorporate substantially similar subject matter as cited in claim 6 above, and are similarly rejected along the same rationale.**

**In regard to dependent claim 19, incorporate substantially similar subject matter as cited in claim 9 above, and is similarly rejected along the same rationale.**

**In regard to dependent claim 25, incorporate substantially similar subject matter as**

cited in claims 1 and 3 above, and further view of the following and is similarly rejected along the same rationale;

**instruction that unlocks the electronic document**... however (Giljum '238 at col. 12, line 30 through col. 13, line 50, also see Fig. 10 through Fig. 13, provides a mechanism to grant folder privileges to groups, wherein the Web Site Database includes an interface for adding new items (e.g., the files, text and URLs) to the Web Site. In addition, this interface permits the user, with the proper privileges user s are providing "check out item" (e.g. no other contributor may edit the item) tool applies only to items enabled for check out and a "checked-in item" tool permits a contributor to return the updated item to the folder after editing it) Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein instruction that unlocks the electronic document would have been an obvious variant of a "checked-in item" tool permits a contributor to return the updated item to the folder after editing it (e.g.. Web Site), to a person of ordinary skill in the art at the time the invention was made.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Chang's teaching, discloses a group-editable web page editing system comprising: formatting information stored within the electronic document, and an updating device that replaces the selected portion with the edited portion, to includes a means of instruction that unlocks the electronic document of Giljum '238. One of the ordinary skill in the art would have been motivated to modify this combination to enable the content contributor (e.g. to create a web site, the person, referred to as the content contributor, submits the content (e.g., files and images) to the web site administrator for publication) may not be technical and may not have any knowledge of HTML, and eliminating a bottleneck the web site administrator prior to

publishing the content, and ensuring that the content is up to date and accurate (as taught by Giljum '238 at col. 1, lines 30-55).

**In regard to dependent claim 27**, incorporate substantially similar subject matter as cited in claim 9 above, and is similarly rejected along the same rationale.

**In regard to dependent claims 28 and 30**, incorporate substantially similar subject matter as cited in claims 1 and 12 above, and are similarly rejected along the same rationale.

**In regard to dependent claim 29**, incorporate substantially similar subject matter as cited in claims 1 and 12 above, and is similarly rejected along the same rationale. Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein is web page would have been an obvious variant of an electronic document, to a person of ordinary skill in the art at the time the invention was made.

**In regard to dependent claims 31 and 33**, incorporate substantially similar subject matter as cited in claims 1, 12 and 29 above, and are similarly rejected along the same rationale.

**In regard to dependent claim 34**, incorporate substantially similar subject matter as cited in claims 1 and 25 above, and further view of the following and are similarly rejected along the same rationale, **formatting information comprise at least one of text...** (Chang, at page 11, section 4.1 paragraph 1, Sparrow provides flexible authoring for creating many different kinds of content. Sparrow items are specified declaratively, by creating a template that includes the fields that will be used and the HTML formatting around the field entries, also Chang, at page 7, section 2.2 paragraph 2 Structure editing, discloses the Sparrow page author specifies the fields in the Sparrow items, and Sparrow presents a form for contributors to fill out or edit. The form

can be very general (a large text editing area) or very specific (many different form elements to handle many kinds of entries), as the author desires).

**In regard to dependent claims 35, 36, 37, 39, 41** incorporate substantially similar subject matter as cited in claims 1, 6 and 12 above, and are similarly rejected along the same rationale.

**In regard to dependent claim 38,** incorporate substantially similar subject matter as cited in claim 34 above, and is similarly rejected along the same rationale.

**In regard to dependent claims 40 and 44,** incorporate substantially similar subject matter as cited in claim 35 above, and are similarly rejected along the same rationale.

**In regard to dependent claim 42,** incorporate substantially similar subject matter as cited in claims 9 and 35 above, and is similarly rejected along the same rationale.

**In regard to dependent claims 43 and 45,** incorporate substantially similar subject matter as cited in claims 1, 6 and 12 above, and is similarly rejected along the same rationale.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (571) 272-4103. The examiner can normally be reached on Monday through Friday from 9 AM to 5 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Herndon R. Heather can be reached on (571) -272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Quoc A. Tran  
Patent Examiner  
Technology Center 2176  
October 1, 2005

*William S. Basha*  
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PRIMARY EXAMINER  
10/4/2005